

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sang Yup Lee et al.

Serial No.:

Group Art Unit:

Filed:

Examiner:

For: ESCHERICHIA COLI STRAIN SECRETING HUMAN
GRANULOCYTE COLONY STIMULATING FACTOR (G-CSF)

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

DECLARATION

I, Sang Yup Lee, one of coinventors of the above-identified application, do hereby declare and state as follows:

1. The strain *Escherichia coli* MC4100/pTHKCSFmII (Accession No. KCTC 0754BP) has been deposited with the Korean Collection for Type Cultures (KCTC), the international depository authority located at Korea Research Institute of Bioscience and Biotechnology, 52 Oun-dong, Yusong-ku, Taejon 305-333, Korea, under the terms of the Budapest Treaty.

2. In support of the statement, a copy of the deposit receipt for KCTC 0754BP is attached herewith.

3. The strain will be irrevocably and without restriction of condition released to the public upon the issuance of U.S. Patent citing the above strain.

4. The strain is available, and will be available during pendency of the application, to one determined by the Commissioner of Patents and Trademarks to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

5. I declare that all statements made herein are based on personal knowledge or upon information and belief and are believed to be true; and, further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Date: October 22, 2001

Sang Yup L

Sang-Yup Lee, Ph.D.